

IX. REPORTABLE EVENTS AND NOTIFICATION PROCEDURES

DSCYF requires prompt reporting of specified significant events affecting the care and well-being of Delaware children. Children in DSCYF contracted programs may be active with only one Division, or with any combination of the following Divisions:

- Division of Child Mental Health Services - (DCMHS)
- Division of Family Services - (DFS)
- Division of Youth Rehabilitative Services - (DYRS)

The following procedures are not meant to preclude the usual agency processes for contacting key individuals such as parents and guardians, police, medical personnel, etc., when incidents occur. In most cases, parents or guardians should be the first point of contact after an incident unless otherwise specified by DSCYF.

All Reportable Events incidents listed below require initial notification either by person-to-person voice contact or by leaving a voice-mail message. Initial notification is to be followed up with a written report using the DSCYF Reportable Event Incident Report for the events listed in D-1 and D-2 within 72 hours of the event's occurrence.

The CONTRACTOR'S child case files shall identify a child's family or guardian contact information and the DSCYF Division(s) case worker(s) and contract manager(s)/administrator(s) names and telephone numbers.

To ensure compliance with these contractual requirements, it is the CONTRACTOR'S responsibility to review the Reportable Events section of the Operating Guidelines with all direct care staff and to place the one-page summary of Reportable Events List and Notification Procedures so that it is readily available to staff members for quick reference.

A. When a Reportable Event report must be made to DSCYF

1. When a Reportable Event occurs in a facility or program that is responsible for the twenty-four hour supervision of a Delaware child/adolescent.
2. When a Reportable Event occurs during a time when a nonresidential program is directly responsible for supervising the child/adolescent, i.e., the child/adolescent is or is supposed to be in the presence of program staff whether in the program office or in the community.

B. When a Reportable Event report should be made to DSCYF

1. When a child/adolescent is open with a *nonresidential* program (formally admitted and not formally discharged) and program employees become aware of an event or incident listed below that requires person-to-person voice contact that occurred at a time other than when program staff were responsible for the supervision of the child/adolescent. This report should be made to the case manager.

C. Types of Reporting to DSCYF: The provider should maintain written documentation of all person-to-person voice contacts or voice-mail message contacts made with the Department regarding a Reportable Event. This record should include date and time of contact, the type of contact (person-to-

person voice contact or voice-mail message), the name of provider staff making the contact, and the name of the DSCYF person contacted.

1. *Person-to-Person Voice Contact (Required for Reportable Events listed in D-1 below):* These reports must have a live person speaking to another live person. Voice-mail messages cannot be substituted for the person-to-person voice contact for these reportable events.
2. *Voice-Mail Messages (Acceptable for Reportable Events listed in D-2 and D-3 below):* If the provider staff member notifying DSCYF of a Reportable Event does not make person-to-person voice contact, the provider staff member may leave a voice-mail message for the DSCYF case manager for Reportable Events listed in D-2 or with the contract manager for Reportable Events listed in D-3.
3. *Written Report:* The CONTRACTOR shall fax or hand-deliver a completed DSCYF Reportable Event Report Form to the Contract Manager within 72 hours for Reportable Events listed in D-1 and D-2. The format for this report is included in this section.

Since the CONTRACTOR may be required to file other written incident reports internally or with other agencies, those forms MAY be acceptable provided that they contain the information DSCYF has requested. *Please secure prior approval from the active Divisions' Contract Manager(s) before submitting alternate Reportable Event forms.*

A DSCYF Reportable Event Report Form does not need to be used for written reports about Reportable Events not involving a Delaware child listed in D-3. In these instances, provide a brief written narrative of the incident containing the relevant information to the contract manager within 72 hours.

D. Reportable Events

1. *Reportable Events Requiring Person-to-Person Voice Contact:* Any of these events involving a Delaware youth active with DSCYF requires live person-to-person voice contact as soon as possible after the event, not to exceed 4 hours. For these events, leaving a message is not acceptable.
 - Child/youth death or death of a contracted program staff member while on duty
 - Injury, illness, or any other incident which requires medical hospital admission beyond emergency room treatment
 - Escape, unauthorized absence, or runaway from any 24-hour residential facility (*See Paragraph F below for additional requirements for DYRS youth*)
 - Alleged sexual assault or rape of or by a Delaware youth
 - Allegation of an incident of institutional abuse of a Delaware youth by facility/program staff member
 - Natural disasters (tornado, floods, etc.) and man-made events such as a bomb threat, bio-terrorism, hostage taking, civil disturbance or riot that have potential for child harm or significant program disruption
2. *Reportable Events for Which Voice-Mail Messages are Acceptable:* While serious, these

events usually do not require immediate DSCYF action and/or intervention. For these Reportable Events involving a Delaware child, voice mail message notification is acceptable if person-to-person voice contact cannot be made with either the CMHS or YRS case worker. NOTE: A provider staff contact name and phone number for follow-up must be included when leaving a voice mail message for a CMHS or YRS case manager.

For a child whose primary case worker is a DFS case manager, call the DFS Report Line at (800) 292-9582 to report any of the Reportable Events listed below for which voice-mail messages are acceptable.

- Restraints / Seclusions
- Physical restraint resulting in injury
- Mechanical or chemical restraints
- Medication errors / lapses
- Removal of an employee from duty as a result of a performance issue that may affect security or child safety (i.e., intoxication or drug use while on duty, etc.)
- Arrest of an employee on criminal charges for a offenses that either occurred at the program or involved any program youth
- Contraband
- Infection/illness that may have been caused by conditions in the program facility
- Pattern of self-harm or self abuse
- Child/youth arrest for felony charges or behaviors presenting a safety risk to self or others
- Other events such as community, facility, or employee issues which may or may not relate directly to any Delaware child but could lead to media inquiries or attention

2. *Reportable Events to be Reported Only to the Contract Manager:* When no child from DSCYF is involved, the following Reportable Events shall be reported to the provider's DSCYF contract manager no later than the next business day (voice-mail messages are acceptable) with a brief written narrative summary submitted within 72 hours:

- Allegations of institutional abuse lodged against provider staff member(s)
- Arrests of provider staff member for felonies involving violence against a person(s)
- Charges of DUI of a provider staff member with responsibility for transporting children

E. Instructions and Phone Numbers for Events Requiring Person-to-Person Voice Contact

1. For Reportable Events that require person-to-person voice contact, during regular business hours (8:00 a.m. to 4:30 p.m.) call the child's case worker for a child or youth whose primary case manager is with CMHS or YRS. If the provider staff member does not make person-to-person voice contact with the CMHS or YRS case worker, call the contract manager next. If person-to-person voice contact cannot be made with either of these individuals, then call the designated CMHS or YRS Emergency/After-Hours contact phone numbers.
1. For any child or youth whose primary case worker is a DFS case manager, make all required person-to person voice contacts to the DFS Report Line at (800) 292-9582 both during regular business hours (8:00 a.m. to 4:30p.m.) and after hours, on weekends, or holidays.

3. To report a Reportable Event requiring person-to-person voice contact after regular business hours, on weekends, or holidays, call the designated DCMHS or DYRS Emergency/ After-Hours contact phone number.

Emergency/After-Hours Contact Numbers for Events Requiring Person-to-Person-Voice Contact

Division	Required Calls - 1. Contact parents / guardians, police, medical personnel, etc. 2. Contact Division(s) Emergency/After-Hours contact numbers
DCMHS	(800) 722-7710 (in DE) or (302) 995-8365 outside of DE
DFS	(800) 292-9582
DYRS	Emergency daytime numbers: (302) 995-8334 or (302) 995-8268 After Hours Administrative Emergency Cell Phone: (302) 353-0334

F. Victim Notification Requiring Person-to-Person Voice Contact with Ferris School:

For DYRS youth only, in addition to the case manager, contract manager, or emergency/after-hours contact person, providers must also report escapes, AWOLS, or unauthorized absences from staff secure (Level 4) or secure care (Level 5) facilities to Ferris School at (302) 993-3800 for victim notification purposes. This includes DYRS youth who fail to return from a “home pass” within one hour of the agreed-upon return time, as that constitutes an unauthorized absence.

G. Information to be Included in Initial Telephone Reporting of an Incident:

The contracted staff member calling to report any reportable event should be prepared to give the following information:

1. Staff reporter’s name, job title and phone number
2. Provider/Program name and phone number
3. Child’s/Youth’s name(s) and Date(s) of Birth
4. Date, location, and time of the event
5. Description of event – what happened? Include who, what, how, why, and any available information such as situations existing before the incident, recent changes, attitudes, other contributing factors, etc.
6. What steps or precautions have been taken to re-establish safety or manage the situation? If the incident involved allegations of abuse, what steps have you taken to ensure child safety?
7. Current condition of the child(ren) now?
8. Who has been contacted already? (Parents? Guardians? Other agencies?)
9. Who should DSCYF contact for additional information or follow-up (name and phone #)?

H. Follow-Up Requirements:

Each Division has policies, procedures and requirements unique to that Division. Each event or situation is also unique. Additional communication, follow-up actions, or other special handling

beyond the limits of the language and instruction provided in this section may be necessary based on the nature of the individual event, the Contractor's situation, and the Division(s) involved. DSCYF reserves the right to request additional information and/or written follow-up reports regarding corrective actions, administrative investigations, policy or program changes, and safety plans resulting from incidents.